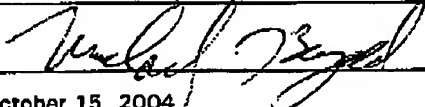



PTO/SB/21 (12-97)

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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/633,324
	Filing Date	August 1, 2003
	First Named Inventor	Gabor DIOSI and Peter TIESLER
	Group Art Unit	3682
	Examiner Name	Ha Dinh Ho Fax: (703) 872-9376
Total No. of Pages in this Submission: 3	Attorney Docket Number	ZAHFRI P538US
ENCLOSURES (check all that apply)		
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10/15/04

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Gabor DIOSI and Peter TIESLER
Serial no. : 10/633,324
Filed : August 1, 2003
For : AUTOMATICALLY SHIFTABLE MOTOR
VEHICLE TRANSMISSION
Group Art Unit : 3682
Examiner : Ha Dinh Ho
Docket : ZAHFRI P538US

The Commissioner for Patents
U.S. Patent & Trademark Office
P. O. Box 1450
Alexandria, VA 22313-1450

RESPONSE

Dear Sir:

This response is being filed in reply to the official action mailed September 15, 2004. In that action, the Examiner required an election of species under 35 U.S.C. § 121 between the following alleged patentably distinct species of the invention:

- I. Figures 1 and 2;
- II. Figures 3 and 4;
- III. Figure 5; or
- IV. Figure 6.

Reconsideration of this requirement for election of species is respectfully requested in view of the following remarks.

The Applicant believes that the present invention contains various embodiments of a single inventive concept. All four species contain the features presently recited in claim 35 which is currently generic to all of the species. Moreover, the Applicant believes that claim 35 is allowable and consequently all species of the invention should be prosecuted in one and the same application for efficiency reasons. It is respectfully submitted that all of the species of the invention represent similar ways of obtaining the same desired results disclosed within this application.

10/633,324

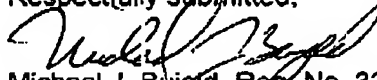
Notwithstanding the above, In order to fulfill the Examiner's request, the Applicant provisionally elects, with traverse, to prosecute the species of the claimed invention shown in Figures 1 and 2 of the drawings. The Applicant also provisionally elects, with traverse, claims 35-41, 45-50, 53, 56, 57, 62, 67 and 68 which are readable on the elected species to be prosecuted on the merits.

The Applicant does not waive any rights with respect to the non-elected species and does not intend to abandon that subject matter. If the Examiner makes the election requirement final, the Applicant respectfully requests that the non-elected species be withdrawn from further consideration but remain in this application subject to reinstatement, in the event that a generic claim is allowed, or for possible filing of a divisional application(s).

In view of the foregoing, it is respectfully submitted that the outstanding election of species requirement should be withdrawn and examination of all claims pending in this application, on the merits, is respectfully requested at the present time.

In the event that there are any fee deficiencies or additional fees are payable, please charge the same or credit any overpayment to our Deposit Account (Account No. 04-0213).

Respectfully submitted,


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